



#### **State Water Resources Control Board**

Division of Drinking Water

July 13, 2015

System No. 3910003

Ms. Tammy Alcantor, Interim City Manager City of Escalon 2060 McHenry Avenue Escalon, CA 95320

TRANSMITTAL OF CITATION NO. 01-10-15C-006

The City of Escalon (hereinafter "City") water system (No. 3910003) violated the nitrate maximum contaminant level, as specified in Title 22, Section 64431, of the California Code of Regulations, in June 2015. The State Water Resources Control Board, Division of Drinking Water has issued Citation No. 01-10-15C-006, in response to this violation. The Citation is being transmitted to the City under cover of this letter.

Please respond to the Directives of this Citation by the deadlines established with each item. If you have any questions regarding this Citation, please contact Brian Kidwell by email at <a href="mailto:Brian.Kidwell@waterboards.ca.gov">Brian.Kidwell@waterboards.ca.gov</a> or by phone at (209) 948-3963.

Sincerely,

Bhupinder \$. Sahota, P.E.
District Engineer, Stockton District
NORTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

Attachments:

Citation No. 01-10-15C-005

Certified Mail No. 7004 2890 0002 0057 9560

CC:

Matt Morgan, Lead Operator

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1		STATE OF CALIFORNIA				
2		WATER RESOURCES CONTROL BOARD				
3		DIVISION OF DRINKING WATER				
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6	то:	City of Escalon				
7		2060 McHenry Avenue				
8		Escalon, CA 95320				
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11	Attn:	Ms. Tammy Alcantor, Interim City Manager				
12		City of Escalon				
13		x · · · · · · · · · · · · · · · · · · ·				
14	CITATION	FOR VIOLATION OF CALIFORNIA HEALTH AND SAFTEY CODE				
15	SECTI	ON 116555(a)(1) AND CALIFORNIA CODE OF REGULATIONS,				
16	a a	TITLE 22, SECTION 64431				
17	VIOLATION OF THE NITRATE MAXIMUM CONTAMINANT LEVEL					
18		WATER SYSTEM NO. 3910003				
19		CITATION NO. 01-10-15C-006				
20		Issued on July 13, 2015				
21	130					
22	The State Wa	ater Resources Control Board (hereinafter "Water Board"), acting by and				
23	through its Di	vision of Drinking Water (hereinafter "Division") and the Deputy Director				
24	for the Divisio	n (hereinafter "Deputy Director"), hereby issues this Citation (hereinafter				
25	"Citation") pu	rsuant to Section 116650 of the California Health and Safety Code				
26	(hereinafter "	CHSC") to the City of Escalon (hereinafter, "City") for violation of				
7	California Cod	de of Regulations (CCR). Title 22. Section 64431				



### **APPLICABLE AUTHORITIES**

Section 11665	of California	Health and	Safety	Code	provides:
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(a) If the Division determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the Division may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

(b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.

(c) A citation may specify a date for elimination or correction of the condition constituting the violation.

(d) A citation may include the assessment of a penalty as specified in subdivision (e).

(e) The Division may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.

Section 116555(a)(1) of California Health and Safety Code provides, in relevant part:

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- (a) Any person who owns a public water system shall ensure that the system does all of the following:
  - (1) Complies with primary and secondary drinking water standards.

California Code of Regulations, Title 22, Section 64431 provides, in relevant part:

Public water systems shall comply with the primary MCLs in table 64431-A as specified in this article.

## Table 64431-A Maximum Contaminant Levels Inorganic Chemicals

Chemical	Maximum Contaminant Level, mg/L
Aluminum	1.
Antimony	0.006
Arsenic	0.010
Asbestos	7 MFL*
Barium	1.
Beryllium	0.004
Cadmium	0.005
Chromium	0.05
Cyanide	0.15
Fluoride	2.0
Hexavalent chromium	0.010
Mercury	0.002
Nickel	0.1
Nitrate (as NO3)	45.
Nitrate+Nitrite (sum as	10.
nitrogen)	
Nitrite (as nitrogen)	1.
Perchlorate	0.006
Selenium	0.05
Thallium	0.002

<sup>\*</sup> MFL=million fibers per liter; MCL for fibers exceeding 10 um in length.

COURT PAPER
STATE OF CALIFORNIA
STD. 113 (REV. 3-95)
OSP 98 10924

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### STATEMENT OF FACTS

The City	is operated	under	Water	Supply	Permit	No.	82-034,	which	was	issued	on
July 16, 1	982.										

The City water system is publically owned and operated. The water system is located in San Joaquin County, on California Highway 120, approximately 12 miles east of the City of Manteca. The City's service area is approximately 2.5 square miles in size. The water system is classified as a <u>community water system</u> that serves primarily residential customers living within the City's service area. The water system serves approximately 7,323 people through 2,468 service connections. The system is operated by City personnel.

The City's domestic water supply consists of four wells, Well No. 01, Well No. 03A, Well No. 09, and Well No. 10. Well No. 01 is equipped with a 60-hp deep well turbine pump with an approximate capacity of 600 gpm. Well No. 03A is equipped with a 100-hp deep well turbine pump with an approximate capacity of 1,100 gpm. Well No. 09 is equipped with a 60-hp deep well turbine pump with an approximate capacity of 800 gpm. Well No. 10 is equipped with a 125-hp deep well turbine pump with an approximate capacity of 1,300 gpm. The water from each well is continuously disinfected using calcium hypochlorite.

Well No. 01 has Dibromochloropropane (DBCP) levels which have previously exceeded the Maximum Contaminant Level (MCL). Although the City was never in violation of the DBCP MCL, the City installed DBCP treatment. The groundwater from Well No. 01 passes through two granular activated carbon (GAC) vessels before being disinfected and pumped into the City's 0.5 MG water storage tank. The GAC treatment reduces the DBCP levels to 0.00-0.04 ug/L, which is below the DBCP MCL



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of 0.20 ug/L.	Typically Well No. 01 is onl	y utilized during	the summer	months	and	it is
taken offline	during the winter months.					

During the winter months, when Well No. 01 is offline, the nitrate rises to levels near the MCL. Before the City brings this well online, it is operated and pumped to waste for approximately 2-3 weeks. The City takes numerous nitrate samples during this process to monitor the fluctuating nitrate level. Once the nitrate level has dropped to approximately 25-30 mg/L, the City requests the Division's approval to bring Well No. 01 online.

Since nitrates can be retained in the GAC, nitrate monitoring must be conducted on the combined effluent when the raw water nitrate levels are at or greater than 50 percent of the MCL. Monitoring for nitrate, from the combined effluent, is required one to three hours after start-up, and weekly thereafter.

As noted above, before the City requests the Division's approval to bring Well No. 01 online, the City pumps Well No. 01 to waste and collects numerous raw water nitrate samples. Once the nitrate level drops to approximately 25-30 mg/L the City supplies the Division with this data and requests approval to bring Well No. 01 online. In the past, the City would not submit all the nitrate results leading up to the sample that would be below the Nitrate MCL to the Division. Recently, the City was directed to report all nitrate sampling in accordance with Section 64469 of the CCR.

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# §64469. Reporting Requirements.

(a) Analytical results of all sample analyses completed in a calendar month shall be reported to the State Board no later than the tenth day of the following month.

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(c) Analytical results shall be reported to the State Board electronically using the Electronic Deliverable Format as defined in The Electronic Deliverable Format [EDF] Version 1.2i Guidelines & Restrictions dated April 2001 and Data Dictionary dated April 2001.

Although the City does not anticipate having to use Well No. 01 this summer, the City

has been collecting monthly nitrate samples from Well No. 01 and tracking the results.

The latest Well No. 01 nitrate results, from June 2015, were 47.8 mg/L, which is

above the MCL of 45.0 mg/L. The City elected not to collect a confirmation sample.

It should be noted, that when the samples are being collected from Well No. 01 the water is being pumped to waste and not to the distribution system.

### DETERMINATION

The Division has determined, although Well No. 01 is offline, and not currently supplying water to the distribution system, the City failed to comply with Section 116555(a)(1) of the California Health and Safety Code as well as Section 64431 of the California Code of Regulations due to the fact that the City's source water exceeded a primary MCL noted in table 64431-A. Specifically, the latest nitrate results for Well No. 01, 47.8 mg/L, exceeded the nitrate MCL of 45.0 mg/L. Therefore the City is in violation of Section 116555(a)(1) of the California Health and Safety Code and Section 64431 of the California Code of Regulations.

It should be noted, that since the water from Well No. 01, which contains nitrate above the MCL, was not pumped to the distribution system. Therefore, the City was not required to conduct Tier 1 Public Notice.

### <u>DIRECTIVES</u>

The City is hereby directed to take the following actions:

- Nitrate poses an acute health hazard especially to infants and young children at high levels of exposure. Since Well No. 01 has exceeded the nitrate MCL, the Division will not allow the City utilize Well No. 01 without:
  - a. The installation of an approved treatment process to remove nitrate from the water.

Or

- b. Providing the Division with sufficient nitrate monitoring data which shows the nitrate levels in Well No. 01 have dropped well below the MCL.
- 2. If the City elects not to install nitrate removal treatment, and keep the well as an active source, then the City must take the following actions:
  - a. Submit to the Division, for review and approval, a detailed Well No. 01 Corrective Action Plan (CAP) by August 15, 2015. The Well No. 01 CAP shall include at a minimum:
    - Routine nitrate sampling schedule during the winter months.
    - Routine nitrate sampling schedule during the summer months.
    - The plan shall require daily samples, for a week, which show the nitrate level at or below 36 mg/L, before requesting Division approval to utilize Well No. 01.



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- The plan shall also note that all requests, to utilize Well No. 01, must be in writing on City letterhead. The three consecutive nitrate samples must also be attached to the request.
- The plan must also note that Well No. 01 may not be pumped to the distribution system without written Division approval.
- The Well No. 01 CAP must be initiated if Well No. 01 is offline for more than 24 hours.
- b. Before the well can be brought back online, the City must install an online nitrate analyzer at Well No. 01, downstream of the GAC treatment.
- c. The online nitrate analyzer must be in working condition during times the well is in operation.
- d. The nitrate analyzer shall be programmed to sound an alarm, via the SCADA System, if the nitrate level reaches 36 mg/L. The SCADA System shall be programmed to shut the well down if the nitrate level reaches 40 mg/L.
- e. The nitrate analyzer shall be calibrated/maintained per the manufacturer's recommendation.
- f. The well shutdown feature shall be tested before putting the well online and then at least once per week. The records shall be maintained and provided to the Division on a monthly basis.



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Brian Kidwell, P.E. Associate Sanitary Engineer State Water Resources Control Board, Division of Drinking Water 31 E. Channel Street, Room 270 Stockton, CA 9202 PARTIES BOUND This Citation shall apply to and be binding upon the City, its officers, directors, shareholders, agents, employees, contractors, successors, and assignees. SEVERABILITY The Directives of this Citation are severable, and the City shall comply with each and every provision thereof, notwithstanding the effectiveness of any other provision. **FURTHER ENFORCEMENT ACTION** 

The California SDWA authorizes the Board to: issue citation with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any permit, regulation, permit or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the Board to take action to suspend or revoke a permit that has been issued to a public water system if the system has violated applicable law or regulations or has failed to comply with an order of the Board; and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with violates an order of the Board. The Board does not waive any further enforcement action by issuance of this citation.



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3	July 13, 2015
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7	State Water Resources Control Board
8	Secretary of
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15	Matt Morgan, Lead Operator
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